

Senate Bill No. 1258

CHAPTER 152

An act to amend Section 8022 of the Elections Code, relating to nominations.

[Approved by Governor August 23, 2006. Filed with
Secretary of State August 23, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1258, Battin. Congressional candidates: extension of time.

(1) Existing law requires that if the nomination documents for an incumbent state Senator, Member of the Assembly, state constitutional officer, or the Insurance Commissioner are not delivered by 5 p.m. on the 88th day before the direct primary election, any person other than the person who was the incumbent on the 88th day has until 5 p.m. on the 83rd day before the election to file nomination documents for that elective office.

This bill would add congressional candidates to these provisions. By increasing the duties of local elections officials, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 8022 of the Elections Code is amended to read:

8022. Notwithstanding Section 8020 or any other provision of the law, if nomination documents for an incumbent state Senator, Member of the Assembly, state constitutional officer, Insurance Commissioner, Member of the United States House of Representatives, or United States Senator are not delivered by 5 p.m. on the 88th day before the direct primary election, any person other than the person who was the incumbent on the 88th day shall have until 5 p.m. on the 83rd day before the election to file nomination documents for the elective office.

However, if the incumbent's failure to file nomination documents is because he or she has already served the maximum number of terms

permitted by the California Constitution for that office, there shall be no extension of the period for filing the nomination documents.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.